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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

In re B. H. et al., Persons Coming Under  
the Juvenile Court Law.

ORANGE COUNTY SOCIAL  
SERVICES AGENCY,

Plaintiff and Respondent,

v.

C.P.,

Defendant and Appellant.

G058886

(Super. Ct. Nos. 19DP1454, 19DP1455  
19DP1471, 19DP1472)

O P I N I O N

Appeal from a judgment of the Superior Court of Orange County, Gary L.  
Moorhead, Judge. Affirmed.

Neale B. Gold, under appointment by the Court of Appeal, for Defendant  
and Appellant.

Leon J. Page, County Counsel, Karen L. Christensen and Jeannie Su,  
Deputy County Counsel, for Plaintiff and Respondent.

C.P. (Mother) has four children: children one and two with M.H (Father H.) and children three and four with D.L. (Father L.). After child four was born with methamphetamines in his system, the Orange County Social Services Agency (SSA) filed dependency petitions alleging all four children fell under Welfare and Institutions Code section 300, subdivision (b)(1), due to Mother's substance abuse.<sup>1</sup> The court sustained an amended dependency petition, declared all four children dependents of the court, and terminated its jurisdiction with exit orders providing legal and physical custody of the children to their fathers. Mother does not challenge the court's jurisdictional findings but contends the court abused its discretion by failing to continue the disposition hearing when she failed to appear. She further contends the court abused its discretion by terminating its jurisdiction at the disposition hearing and asserts the court should have continued supervision and ordered reunification services for her. We reject Mother's contentions and affirm.

## FACTS

Mother had children one and two with Father H. Under a family court order, they shared legal custody of the children, but Mother had primary physical custody and Father H. had visitation on Sundays.

Mother married Father L. in 2017 and had child three. Father L. separated from Mother in July 2019, due to her infidelity and while she was pregnant with child four. In September 2019, Father L. picked up child three from the home of a member of Mother's family because Mother was hospitalized, possibly due to a drug overdose. Believing Mother was abusing drugs, Father L. continued to care for child three after

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<sup>1</sup> All further statutory references are to the Welfare and Institutions Code.

Mother was released from the hospital and would not permit Mother to see her. He filed for divorce and custody of child three on November 18, 2019.

Father H. was also contacted by Mother's family when she was in the hospital in September 2019, as they were unable to care for children one and two. He, too, picked up his children from Mother's family and did not return them to Mother because he was concerned about her drug usage and that she had been neglecting the children. On October 1, 2019, he filed a request in family court for full custody of the children, but his request was denied pending a hearing scheduled for mid-December.

#### *Initiation of Dependency Proceedings Concerning Children Three and Four*

When Mother gave birth to child four, both her and the newborn tested positive for amphetamines, prompting a referral to SSA. Hospital staff also reported concerns regarding Mother's behavior as she had left the newborn unattended on the hospital bed on more than two occasions.

When contacted by SSA, Father L. indicated he was unsure if child four was his due to Mother's infidelity but stated he wanted to care for the newborn until paternity was established.

At SSA's request, on November 19, 2019, the juvenile court issued a protective custody warrant removing children three and four from Mother and placing them in the care of Father L., due to concerns of Mother's drug usage.

On November 21, 2019, SSA filed a juvenile dependency petition concerning children three and four, alleging they fell under section 300, subdivision (b)(1) (failure to protect).

At the hearing on the petition, on November 22, 2019, the court appointed counsel for Mother and Father L., who was found to be the presumed father of child three, and the court ordered a paternity test for child four. Both parents denied the dependency petition's allegations. The court found a prima facie showing had been made

that children three and four fell under section 300 and that removal from mother's custody was necessary to protect their physical or emotional health. The court ordered children three and four to remain in the care of Father L. under the supervision of SSA and with protective orders. Mother was provided eight hours of weekly monitored visitation, and SSA was ordered to provide voluntary reunification services to the parents.

#### *Initiation of Proceedings Concerning Children One and Two*

On November 21, 2019, SSA requested a protective custody warrant for children one and two. The application explained that during the investigation of Mother's ability to care for children three and four, SSA determined children one and two were also at risk. Although children one and two had been living with their father, Father H., since September 2019, Mother was entitled to primary physical custody of the children under a family court order and had made multiple attempts to retrieve the children from Father H. with the help of law enforcement. Law enforcement had not forced Father H. to return the children to Mother yet, but SSA was concerned the children might be returned to her, which would pose a threat to their health and safety. The court granted the protective custody warrant, removing children one and two from Mother's custody and leaving them in the care of Father H.

On November 25, 2019, SSA filed a juvenile dependency petition for children one and two, alleging they fell under section 300, subdivisions (b)(1) (failure to protect) and (j) (abuse of sibling).

At a hearing on the petition, on November 26, 2019, the court ordered children one and two to be detained from Mother and to remain in the care of Father H. with protective orders. Father H. was ordered to submit to random alcohol and drug testing and to transport the children to Orange County twice monthly to visit with children three and four, their half-siblings. Mother was granted six hours of weekly monitored visitation.

*Proceedings Concerning All Four Children*

On November 26, 2019, SSA filed a first amended dependency petition concerning all four children, alleging they fell under section 300, subdivision (b)(1). At the jurisdictional hearing, on January 23, 2020, the parents waived their rights to a trial and pleaded no contest to the petition as amended by interlineation. As amended, the petition alleged the following facts:

1. Child four tested positive for amphetamines at birth, and Mother reported abusing methamphetamine during her pregnancy and receiving minimal prenatal care. Mother failed to provide appropriate care for child four at the hospital as she twice left the newborn unattended on her hospital bed.
2. Mother has an unresolved substance abuse problem with methamphetamine and marijuana. Child one had observed Mother smoking out of a pipe and described her as becoming “meaner” after smoking.
3. Father L. has a history of substance abuse issues and served nine years in prison for drug possession but reports he has been sober for 15 years.
4. Mother failed to ensure child three received appropriate medical care as she had not taken the child to the doctor since the child was eight months old and the child was now two years old.
5. Mother and Father L. exposed children three and four to domestic violence and their conflictual relationship. On October 27, 2019, Mother came to Father L.’s residence unannounced, screaming, and demanding to see child three. The parents engaged in an altercation over the child, during which Mother took the child out of Father L.’s arms and tried to assault him and hit his hand with her phone. Father L. has not allowed Mother to see child three in 60 days.
6. Mother failed to ensure child two received appropriate medical care as he was not up-to-date on his immunizations while in her care.

7. Mother and Father H. exposed children one and two to their conflictual relationship. Although Mother had primary custody of the children under a family court order, the children began staying with Father H. in September 2019 due to concerns over Mother's drug abuse. Mother maintained Father H. kidnapped the children. She called in numerous welfare checks concerning the children, including six in one day. Seeking the return of the children, Mother brought the police to Father H.'s home. Father H. received a citation for violating the custody order, but after he explained he was concerned about Mother's substance abuse, the police did not force him to return the children to her.
8. Mother and both fathers have criminal histories.

The court found the allegations in the amended petition true, bringing the children within the provisions of section 300, subdivision (b)(1).

#### *Disposition Report and Hearing*

Children one and two were interviewed for SSA's jurisdiction/disposition report, which was filed December 30, 2019.<sup>2</sup> When asked about drugs in Mother's house, child one reported he once saw Mother smoking a pipe. His description of the pipe was consistent with that used to smoke methamphetamine. He denied seeing his father or Father L. smoke out of a pipe like this. Child two reported that Mother "smokes outside by herself." He was unable to describe what she smokes but said it was different than the cigarettes Father H. smokes.

Regarding disposition, both fathers wanted their children to remain in their respective custody. Father L. wanted mother to participate in an in-patient drug treatment program and only be granted visitation when she is sober. Child one liked living with his

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Children three and four were not interviewed because of their age.

father but missed his Mother and wanted to live with both parents and his step-father, Father L. Child two wanted to continue living with Father H.

SSA was unable to complete its interview of Mother for preparation of the jurisdiction/disposition report because of her lack of cooperation. When SSA attempted to conduct a social study assessment with Mother during a meeting on November 26, 2019, Mother said she had to leave because her ride was waiting for her. They called Mother on December 17, 2019, to complete the assessment by telephone. Although she agreed to speak to them later that afternoon, when the social worker called at the agreed upon time, Mother did not answer. A recording stated that the number had been disconnected or was no longer in service, and the social worker was unable to leave a message. Mother did not respond to SSA's numerous attempts to interview her telephonically or in person.

On November 26, 2019, SSA discussed with Mother her case plan services and the importance of participating in the recommended programs for reunification with her children. It was recommended Mother participate in individual counseling, parenting classes, personal empowerment classes, substance abuse treatment, and randomized drug testing. Mother agreed to partake in these services so she could be reunited with her children as soon as possible. However, as of the date the jurisdiction/disposition report was prepared (December 24, 2019), Mother had not enrolled in an outpatient drug treatment program or therapy. Mother stated she would attend the parenting education class scheduled for January 15, 2020. During a meeting with SSA on January 16, Mother was reminded of the need to participate in the recommended services. As for drug testing, Mother had a call-in compliance of 0 percent and had missed seven drug tests, which were considered positive. The disposition report concluded Mother had made no progress toward mitigating or alleviating the causes that necessitated court involvement.

SSA also recommended Father H. participate in parenting classes, individual counseling, and random drug tests as part of his case plan. As of

January 9, 2020, he had completed four drug tests, all were negative for substances, and he had a call-in compliance of 100 percent. Based on these results, SSA determined he would no longer be subjected to random drug tests but only tested upon reasonable suspicion.

It was recommended Father L. participate in parenting and individual counseling as part of his case plan. He agreed to these services and signed referrals for an in-home parenting class and therapy.

Both the jurisdiction/disposition report and its addendum, filed January 21, 2020, discussed Mother's visits with the children, and the accounts were mixed. Numerous visits were cancelled because Mother was running late or did not show up. On more than one occasion, Mother was aggressive with the social worker monitoring the visit and had one visit terminated because she was violating her visitation conditions by questioning children one and two about their father and whispering to them. At a visit with children three and four, the police had to mediate the exchange of the children. However, Mother also had visits where she was on time or early and acted appropriately with the children and the monitor.

The addendum report recommended the court sustain the dependency petition, declare dependency as to all four children, and terminate with exit orders providing for the children to remain in the custody of their fathers.

A contested disposition hearing was scheduled for January 27, 2020, but on that date, it was continued to January 29, 2020, after the court had an off-the-record discussion with all counsel. When the case was called on January 29, 2020, Mother failed to appear. Mother's counsel was unable to provide an explanation for her absence, and the court denied counsel's request to continue the hearing.

As to the proposed recommendations, Mother's counsel argued it was premature to close the case. She asserted ongoing supervision was needed to protect Mother's ability to co-parent with the fathers because Mother believed they were



alienating the children from her. She requested the court order all parents into conjoint counseling and continue supervision for at least three months. Mother's counsel also argued for changes to the exit orders, if the court intended to terminate its jurisdiction. SSA disagreed with Mother's argument that the fathers were alienating the children from her, noting the fathers had not prevented Mother from visiting the children since the inception of the proceedings. Both fathers requested the case be closed and that they be given sole legal custody of their children.

The court found it was unnecessary to continue supervision because the fathers were "doing an exemplary job of taking care of [the children]" and the children were "thriving" in their care. The court concluded Mother was continuing her drug abuse habit and posed a risk to her children based on evidence that she had missed every drug test (seven), and they were considered positive. It also noted that Mother had missed over half of her visits with the children. Believing co-parenting counseling would not materially change the friction between Mother and the fathers, the court declined to continue supervision and order it. The court ordered the children dependents of the juvenile court and terminated the case with exit orders that incorporated some of the changes requested by Mother. Mother was given weekly monitored visits with both sets of children and one visit per month with all of the children. Father H. was granted sole legal and physical custody of children one and two, and Father L. was given sole legal and physical custody of children three and four.<sup>3</sup>

Mother appealed from the disposition orders.

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<sup>3</sup> On January 30, 2020, after reviewing the paternity test results, the court declared Father L. the presumed father of child four.

## DISCUSSION

On appeal, Mother contends the court abused its discretion by (1) denying her request to continue the disposition hearing and (2) failing to provide her reunification services and continue supervision over the fathers. We reject both contentions and affirm the juvenile court's disposition orders.

### DENIAL OF MOTHER'S CONTINUANCE REQUEST

Mother contends the court abused its discretion by denying her request to continue the disposition hearing. We disagree.

When Mother failed to appear for the disposition hearing, her counsel requested the court continue the hearing so counsel could "attempt to obtain" Mother's presence. Mother had indicated to her counsel that she wanted a contested disposition hearing so the court could hear her concerns regarding SSA's recommendations. In requesting the continuance, Mother's counsel explained this was the first court date Mother had missed and that Mother was present two days prior when the matter was originally scheduled to be heard. The morning of the disposition hearing, counsel had attempted to contact Mother by phone and e-mail but had not received a response and therefore did not know why Mother was not present. Counsel argued a short continuance was warranted, given the impact SSA's recommendations would have on Mother's ability to reunify and parent her children, and would not be detrimental to the children as they were already in their fathers' custody. Both fathers and counsel for the children objected to a continuance. SSA relayed to the court that Mother had not responded to their numerous calls to her that week. Finding good cause had not been shown, the court denied Mother's continuance request.

We review the court's denial of Mother's continuance request for an abuse of discretion, keeping in mind that "[c]ontinuances are discouraged in dependency

cases.”” (*In re F.A.* (2015) 241 Cal.App.4th 107, 117.) A court may continue a dependency hearing at the request of a parent, minor, or petitioner only for good cause and for the period time shown to be necessary. (§ 352, subd. (a)(2); *In re Karla C.* (2003) 113 Cal.App.4th 166, 179.) Convenience of the parties is not good cause. (§ 352, subd. (a)(2).) Section 352, subdivision (a), also states the court shall not grant a continuance “that is contrary to the interest of the minor.” (§ 352, subd. (a)(1).) In considering whether a continuance would be contrary to “the minor’s interests, the court shall give substantial weight to a minor’s need for prompt resolution of his or her custody status, the need to provide children with stable environments, and the damage to a minor of prolonged temporary placements.” (*Ibid.*) “[C]ounsel’s inability to contact the parent, who in turn is absent from the hearing, does not constitute ‘good cause,’ nor is it ‘in the interest of the minor’ to warrant granting a continuance.” (*In re Malcolm D.* (1996) 42 Cal.App.4th 904, 918.)

Mother has not shown the court abused its discretion in denying her request for a continuance. Mother’s presence at the prior hearings and her professed desire for a contested disposition hearing did not constitute good cause to continue the matter when she failed to appear and had not contacted her counsel or the court to offer an explanation for her absence. Mother’s counsel had been unable to reach her that morning and Mother had not responded to counsel’s phone call or e-mail prior to the 2:00 p.m. hearing. Counsel was thus unable to offer the court any reason for Mother’s failure to appear or assure the court that Mother would appear if the hearing was continued. Mother’s absence and unresponsiveness was not good cause for a continuance.

Prolonging the matter without good cause and with the possibility that Mother might again fail to appear was not in the children’s best interests. Mother contends a continuance was in the children’s best interest because the “denial of [her] continuance request was in essence a bypassing of reunification services and a virtual termination of her parental rights.” Mother, however, fails to explain how her presence at

the disposition hearing would have changed the outcome. While the court denied Mother's request for a continuance of the hearing, her counsel was given the opportunity to present evidence and argument concerning Mother's position that the court should reject SSA's recommendation that jurisdiction be terminated. Mother's counsel choose to not present evidence but did argue that the court should continue supervision and order counseling for the parents. Counsel also argued for modifications of the exit orders if the court was not inclined to continue supervision. Even though the court terminated its jurisdiction, it did adopt some of the requests of Mother's counsel in its exit orders.

Mother contends the court should have continued the hearing because neither she nor her counsel were in court on January 27, when the disposition hearing was continued to January 29. The record undermines this contention. When Mother failed to appear on January 29, her counsel stated that Mother was in court on January 27. Although Mother's counsel was out sick on the 27th, another attorney appeared on her behalf when the matter was called and that attorney indicated Mother was on-call. Any suggestion that Mother or her counsel were unaware of the new hearing date is belied by the record.

Mother is also unpersuasive in her attempt to analogize to *In re F.A.*, *supra*, 241 Cal.App.4th 107, wherein we upheld a court's decision to continue a case four times, resulting in a two-month delay. (*Id.* at p. 117.) There, the court was responsible for some of the delay as it had changed its mind about whether a report by SSA should be provided to nonparties and the provision of the report resulted in further delay. (*Ibid.*) We concluded "[t]he court's reason for each respective continuance was neither arbitrary nor capricious." (*Ibid.*) Here, in contrast, the requested continuance was based on Mother's failure to appear for the disposition hearing and any further delay was not in the best interests of the children. As a panel of this court recently stressed, "every effort should be made to avoid continuances" in dependency proceedings (*M.G. v. Superior Court*

(2020) 46 Cal.App.5th 646, 659) because children are entitled to a prompt resolution of their case.

We conclude the court did not abuse its discretion in denying Mother's request for a continuance.

#### TERMINATION OF JURISDICTION

Mother contends the court committed reversible error by terminating jurisdiction and that the court, instead, should have continued supervision over the fathers to ensure the custody arrangements were in the children's best interest and provided her reunification services. "The juvenile court has broad discretion to determine what would best serve and protect the child's interest and to fashion a dispositional order in accordance with this discretion." (*In re Gabriel L.* (2009) 172 Cal.App.4th 644, 652.) We "will not reverse the court's order in the absence of a clear abuse of discretion." (*Ibid.*) We find no abuse of discretion here.

Mother's argument relies on section 361.2, which concerns the placement of a dependent child with a previously *noncustodial* parent.<sup>4</sup> SSA not only disagrees with Mother's argument that the court abused its discretion but also questions whether section 361.2 applies or section 362, which applies where a dependent child is retained with a *custodial* parent in the dispositional order. (*In re A.L.* (2010) 188 Cal.App.4th 138, 143.) The question arises because children one, two, and three were living with their fathers and not Mother at the time the dependency petitions were filed. SSA asserts the fathers

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<sup>4</sup> Section 361.2, subdivision (a), provides that when "a court orders removal of a child pursuant to Section 361, the court shall first determine whether there is a parent of the child, with whom the child was not *residing* at the time that the events or conditions arose that brought the child within the provisions of Section 300, who desires to assume custody of the child. If that parent requests custody, the court shall place the child with the parent unless it finds that placement with that parent would be detrimental to the safety, protection, or physical or emotional well-being of the child." (*Italics added.*)

were arguably custodial parents because children one through three were living with their fathers when child four tested positive for methamphetamines, and if considered custodial parents, section 362 would apply. But also presenting the other side of the argument, SSA contends the fathers could be considered noncustodial parents under section 361.2. As SSA acknowledges, “historically the term ‘resides’ has been commonly used and understood to mean “‘to dwell permanently or for a considerable time’”” (*In re Dakota J.* (2015) 242 Cal.App.4th 619, 628) and the two months the children were living with their fathers would not qualify as a considerable time. SSA also notes that under the family court order, Mother, and not Father H., was to have physical custody of the children. As our colleagues in *In re Anthony Q.* (2016) 5 Cal.App.5th 336, aptly observed “reference to a ‘custodial’ or a ‘noncustodial’ parent in dependency cases can, at least on occasion, be somewhat misleading.” (*Id.* at p. 353.)

Ultimately, we need not dwell on this question further as our analysis of Mother’s contention is essentially the same whether considered under section 361.2 or section 362. As we explained in *In re A.C.* (2008) 169 Cal.App.4th 636, “a section 361.2 placement with a noncustodial parent should be treated in the same manner as a section 362 placement with a custodial parent.” (*Id.* at p. 649.)

We note that at the disposition hearing, SSA asserted the court should place the children with their fathers under section 361.2, subdivision (a). Thus, we examine Mother’s claim under section 361.2. Section 361.2 provides a “two-step process.” (*In re Austin P.* (2004) 118 Cal.App.4th 1124, 1131.) Once the court places a child with the noncustodial parent under section 361.2, subdivision (a), subdivision (b) gives the court two options that are relevant here: under subdivision (b)(1), the court may “grant custody to the previously noncustodial parent and terminate dependency jurisdiction” (*In re Jaden E.* (2014) 229 Cal.App.4th 1277, 1281) or under subdivision (b)(3), the court may

maintain supervision and determine whether to provide services to one or both of the parents (*Jaden E.*, at pp.1281-1282).<sup>5</sup>

Regarding this two-step process under section 361.2, Mother does not challenge the placement of the children with their fathers—the first step. Her appellate claim focuses on the second step—the court’s decision to terminate jurisdiction after concluding there was no need for continuing supervision. She asserts the court abused its discretion by terminating its jurisdiction under section 361.2, subdivision (b)(1), and that the court, instead, should have chosen the option in subdivision (b)(3) of maintaining supervision and providing services to both her and the fathers. She contends maintaining supervision over the family was necessary for two reasons: (1) “the fathers have serious drug and criminal histories that should not have installed [*sic*] the court with confidence that the case could be properly closed”; and (2) “the parents had terrible communication and the children would likely be alienated from their mother with the case closing.” We reject Mother’s contention as she has not shown the court abused its discretion.

*The fathers’ substance abuse and criminal pasts did not require the court continue supervision over them.*

Mother contends the fathers “had serious substance abuse and criminal pasts that warranted further supervision by the court before closing this case.” We note Mother failed to raise this concern below. Nevertheless, looking at the evidence before the court, we find no abuse of the court’s discretion.

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The court also has the option of ordering custody to the noncustodial parent “subject to the jurisdiction of the juvenile court and require that a home visit be conducted within three months.” (§ 361.2, subd. (b)(2).)

As to Father H., the amended dependency petition to which the parents pleaded no contest, did not establish he had a history of substance abuse issues as this allegation was stricken from the petition. While the dependency proceedings were pending, Father H. had been randomly drug tested, and he had tested negative for drugs and alcohol each time. Regarding his criminal history, Father H. had two convictions for driving under the influence, the first in 2007 and the second in 2008, and he was convicted of aggravated assault and obstruction of a peace officer in 2009. Thus, all of his prior criminal convictions occurred 10 years or more before the dependency proceedings. The court acted well within its discretion in concluding Father H.'s past drug use and criminal history was no longer a concern.

As to Father L., the evidence before the court showed he had criminal and substance abuse issues in his past but did not show any current problems. Father L. had several prior convictions for drug and theft-related crimes, and he reported he was released from prison in June of 2015 after serving nine and a half years for drug possession. Father L. informed SSA that when he was released on parole, he was drug tested weekly for a year and always tested negative. He stated he had been clean for 15 years. Nevertheless, he admitted smoking legal marijuana. But at the detention hearing, he stated he had stopped after he took custody of child three in September because he knew it would be a custody issue. Once again, these facts support the court's discretionary conclusion that Father L.'s past drug use and criminal conduct did not endanger his children.

Arguing that Father L. "had a problematic past" that warranted the court continue supervision, Mother asserts Father L. was involved in domestic violence with her. The facts before the court, however, indicated that Mother was the aggressor in the incident as she tried to hit him.



Based on the evidence before the court, there was no need to continue supervision over either father. Both fathers had demonstrated they were protective of their children, acting to take physical custody of them after being informed Mother's drug usage had rendered her incapable of caring for the children. SSA concluded the children were thriving in their fathers' care. Both fathers were ensuring their children received appropriate medical care and had gotten the children up to date on their immunizations. Father H. had enrolled children one and two in school. There was no evidence before the court indicating that the children were at risk in their fathers' care.

*Ongoing supervision of the family was not necessary to ensure the fathers followed the court's orders.*

Mother next contends that without court supervision, the children will be alienated from her. She asserts the fathers did not want the children to see her and that supervision was necessary to ensure the fathers would not violate the court's orders giving her visitation and prohibiting any of the parents from making disparaging comments about each other in front of the children. Mother's speculation that the fathers would violate the court's orders is not born out by the appellate record.

There was no evidence before the court that the fathers had prohibited Mother from seeing the children while the case was pending nor a suggestion that they would do so after termination. Instead, the evidence before the court showed the fathers had been going out of their way to enable Mother's visitation with the children and were willing to continue to do so. The fathers took the children to their scheduled visits. When Mother was more than 30 minutes late for her visit with children one and two, Father H. agreed to wait with the children so her visitation would not be cancelled. At the disposition hearing, when a question arose as to how Mother could have a monthly visit with all of the children together because children one and two were residing in a different county, Father L. offered to drive children three and four from Orange County

to the area where children one and two live so that Mother could see all of the children together.

Nor was there evidence that the fathers were trying to alienate the children from Mother. When interviewed by SSA, child one stated that he moved in with his father because Mother was sick and in the hospital. The court could thus infer that Father H. had not made disparaging comments about Mother to the child. In an interview with SSA, Father H. stated he would never want to take the children away from their Mother and that he just wanted her to be sober. The court properly determined ongoing supervision of the family was not necessary.

*Reunification services for Mother were unwarranted*

As we have concluded the court properly terminated its jurisdiction, we also reject Mother's contention that the court should have awarded her reunification services. Given Mother's behavior, it was reasonable for the court to conclude that Mother would not participate in any reunification services provided to her. Mother had made little to no effort to participate in the services originally recommended in her case plan on November 26, 2019. She had not participated in a substance abuse treatment program or therapy and had missed all of her drug tests. She made no progress in solving the problem that led to the children's removal and demonstrated no real interest in doing so. The court reasonably concluded further services to Mother were unwarranted. (See *In re Jaden E.*, *supra*, 229 Cal.App.4th at pp. 1288-1289 [upholding court's decision to terminate mother's reunification services because she had not made any progress in addressing the problems that led to child's initial removal].)

Mother has failed to demonstrate the court erred by terminating its jurisdiction in the dispositional order.

DISPOSITION

The judgment is affirmed.

IKOLA, J.

WE CONCUR:

MOORE, ACTING P. J.

ARONSON, J.